WP(C) 3977/2007
BEFORE
HON'BLE JUSTICE B.K. SHARMA

Heard the learned counsel for the petitioners as well as Mr. D.P. Saliha , learned Sr. counsel assisted by Mr. M. Rahman, learned counsel for the respond ents No. 5, 6, 7 and 8. I have also heard Mr. P. Goswami, learned counsel repres enting the Bank.

The grievance of the petitioners is that although their names have been figured in the list of beneficiaries (Annexure-1), they have not been provided w ith the loan amount. On the other hand, the Bank has sanctioned loan in favour o f the private respondents.

As per the affidavit filed by the respondents as well as in the Misc. ca se No. 3494/07 filed by the private respondents, the Bank has sanctioned loan am ount to the respective parties on the basis of the trades against which loan has been applied for. The Bank considering the viability of the trade, has provide d the loan.

Annexure-1 is not the merit list. Different trades have been mentioned i n the document. If the Bank has provided loan considering the viability of the t rade, no fault can be attributed to the Bank. The Bank in paragraph-6 of the aff idavit has stated their difficulty in recommending the names of the petitioners to the higher authority for sanctioning the loan. Leaned counsel for the petitio ners upon reference to Annexure-C letter, submits that the plea of the responden ts is not tenable.

In view of the above, I dispose of the writ petition with a direction to the respondents to consider the case of the petitioners in accordance with law. The interim order passed on 28.06.07 stands vacated.